



# DEPARTMENT OF CONSERVATION

## LAND RESOURCE PROTECTION

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September 28, 2006

Mr. Ralph Svetich  
Delta Risk Management Strategy Project Manager  
Department of Water Resources  
1416 9<sup>th</sup> Street  
Sacramento, CA 95814

Dear Mr. Svetich:

The Department of Conservation's Division of Land Resource Protection (Division) monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act, California Farmland Conservancy Program, and other agricultural land conservation programs.

The Delta Risk Management Strategy (DRMS) Initial Technical Framework papers were prepared to provide guidance in analyzing specific technical topics as they relate to potential risks to the Delta levees and associated assets. We have reviewed the Initial Technical Framework (ITF) Papers, and our comments should be considered for incorporation in to the Flood Hazard, Economic Consequences and Ecological Consequences documents.

As a general comment, the Division's Important Farmland Map for each county should be utilized to identify agricultural land within the Delta region and in the surrounding areas that may be impacted by floods, earthquakes, subsidence and changes in climate. Acreages for each land use designation should be identified. Likewise, the counties' Williamson Act Maps should be utilized to identify areas that may be impacted and that are under contract, Farmland Security Zone (FSZ) and agricultural preserve land by acreage, and whether it is prime or nonprime agricultural land according to definition in Government Code section 51201(c). Much of the land in the Delta region is in agricultural production and is under Williamson Act contract. Maps of the Important Farmlands and Williamson Act land can be obtained by contacting this office.

It might be helpful to develop a comprehensive accounting of public land acreage in the Delta region so that when projects are planned, they may be located on public land and protect private land along with its uses. Its land use and cover has not been readily available, and it is therefore not known how much agricultural land currently is in public ownership or how much agricultural land currently has conservation easements. An assessment of ownership including fee title and conservation easement ownership should be completed and boundaries for public and private properties verified by the landowners.

As background, the Williamson Act was passed by the legislature in 1965 to preserve agricultural and open space lands by discouraging premature and unnecessary conversion. The Act authorizes local

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*The Department of Conservation's mission is to protect Californians and their environment by:  
Protecting lives and property from earthquakes and landslides; Ensuring safe mining and oil and gas drilling;  
Conserving California's farmland; and Saving energy and resources through recycling.*

governments and property owners to voluntarily enter into contracts to commit land to specified uses for ten or more years. Once restricted, the land is valued as open space land pursuant to open space valuation laws (Section 423 Revenue and Tax Code), meaning that landowners receive property tax assessments that are much lower than normal because they are based upon farming and open spaces uses as opposed to full market value. The local government receives an annual subvention of foregone property tax revenues from the state via the Open Space Subvention Act of 1971. Although it is difficult to speculate, local government's budget may be impacted directly or indirectly as the land uses change within the region.

We recognize that the long-term agricultural productivity of the Delta region may be at risk, and may ultimately result in conversion of agriculture to other uses and cancellation of Williamson Act contracts. Levee failures resulting from storm surges or seismic events that lead to inundation of islands within the Delta or the Suisun Marsh area have the potential to directly affect agricultural viability and indirectly affect agricultural resource management by changing the soil quality, necessitating a change in the ability of farmers to stay economically viable. In the event that agricultural productivity of land is compromised by inundation, regardless of whether the inundation is caused by levee failure, subsidence, storm surge, seismic event or a change in climate, the economic impacts to local governments should be considered. Please note that catastrophic inundation of contracted lands would be addressed differently than planned flooding. Catastrophic or repeated flood events may ultimately cause a landowner to file for contract non-renewal with the local agency, as agricultural operations may become infeasible. However, planned flooding of islands within the Delta would be considered a breach of contract. Indirect economic impacts associated with importing food and fiber should also be considered. We suggest that an agricultural economist be consulted to assist in calculating the economic consequences from the loss of agricultural land, the impacts associated with local economics, and the cost of importing agricultural commodities.

Thank you for the opportunity to review the Initial Technical Framework papers. We would be pleased to meet with you if we can be of assistance or if we might provide you with additional information. Please contact me at (916) 323-4943 if you have any questions regarding these comments.

Sincerely,

Jeannie Blakeslee  
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Division of Land Resource Protection  
Department of Conservation  
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